



Docket No. 50875-F-PCT-US/JPW/BJA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Graham P. Allaway et al.

Serial No.: 09/460,216

Examiner: Jeffrey S. Parkin

Filed: December 13, 1999

Group Art Unit: 1648

For: METHODS FOR PREVENTING HIV-1 INFECTION OF CD4+ CELLS

30 Rockefeller Plaza, 20th Fl.
New York, New York 10112
March 30, 2009

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

In accordance with the duty of disclosure under 37 C.F.R. §1.56, applicants direct the Examiner's attention to the following items, which are listed on the Form PTO-1449 (Substitute) attached hereto as **Exhibit A**. Items 1-7 are either U.S. Patents or U.S. Patent Application Publications. As permitted by 37 C.F.R. 1.98(a)(2)(ii), no copies of items 1-7 are included herewith. Copies of items 8-52 are attached hereto as **Exhibits 1-45**, respectively.

1. U.S. Patent No. 7,345,153 issued March 18, 2008 to Litwin, Virginia M. et al.;
2. U.S. Patent No. 7,501,123, issued March 10, 2009 to Roschke et al.;
3. U.S. Patent Application Publication No. 2005-0131042 A1 published June 16, 2005 to Flentge, C.A.;
4. U.S. Patent Application Publication No. 2002-0177603 A1 published November 28, 2002 to Johnson, B.L. et al.;
5. U.S. Patent Application Publication No. 2006-0154857 A1, published July 13, 2006 to Redfield et al.;
6. U.S. Patent Application Publication No. 2007-0274986 A1, published November 29, 2007 to W.C. Olson and Paul J. Maddon;
7. U.S. Patent Application Publication No. 2007-0231327 A1, published October 4, 2007 to W.C. Olson and Paul J. Maddon;

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8. Max, E. "Immunoglobulins: Molecular Genetics" in Fundamental Immunology, 6th edition. W.E. Paul, ed., Lippincott-Raven Publishers, Philadelphia, 2008 pp. 192-236 (**Exhibit 1**);
9. Nelson et al. "Efficacy and Safety of Maraviroc plus Optimized Background Therapy in Viremic, ART-experienced Patients Infected with CCR5-tropic HIV-1 in Europe, Australia, and North America: 24-Week results," 14th Annual Conference on Retroviruses and Opportunistic Infections. 28 Feb 2007. Abstract #104aLB (**Exhibit 2**);
10. Schroeder et al. (2008) "Immunoglobulins: Structure and Function," Lippincott Williams & Wilkins:Maryland, Fundamental Immunology, 6th Edition, Chapter 4, pp. 125-151 (**Exhibit 3**);
11. Combadiere, C. et al. (1995) Additions and Corrections to "Cloning and functional expression of a human eosinophil CC chemokine receptor," J. Biol. Chem. 270(28) 16491-16494 (**Exhibit 4**);
12. June 18, 2008 Communication including Partial European Search Report in connection with European Patent Application No. 07 01 4859.8 (**Exhibit 5**);
13. September 19, 2008 Final Office Action issued in connection with U.S. Serial No. 09/460,216 (**Exhibit 6**);
14. July 9, 2008 Office Action issued in connection with U.S. Serial No. 11/258,963 (**Exhibit 7**);
15. July 1, 2008 Office Action issued in connection with U.S. Serial No. 11/581,944 (**Exhibit 8**);
16. January 9, 2008 Final Office Action issued in connection with U.S. Serial No. 11/258,963 (**Exhibit 9**);
17. May 29, 2008 Office Action issued in connection with U.S. Serial No. 11/259,540 (**Exhibit 10**);
18. November 19, 2007 Final Office Action issued in connection with U.S. Serial No. 09/904,356 (**Exhibit 11**);
19. April 9, 2008 Office Action issued in connection with U.S. Serial No. 11/451,707 (**Exhibit 12**);
20. November 2, 2007 Office Action issued in connection with U.S. Serial No. 11/805,573 (**Exhibit 13**);

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21. September 21, 2007 Notice of Allowability issued in connection with U.S. Serial No. 11/544,346, now U.S. Patent No. 7,345,153 (**Exhibit 14**);
22. March 11, 2008 Office Action issued in connection with U.S. Serial No. 09/888,938 (**Exhibit 15**);
23. May 31, 2007 Office Action issued in connection with U.S. Serial No. 09/888,938 (**Exhibit 16**);
24. October 4, 2007 Office Action issued in connection with U.S. Serial No. 11/175,815 (**Exhibit 17**);
25. November 16, 2007 Office Action issued in connection with U.S. Serial No. 09/460,216 (**Exhibit 18**);
26. September 12, 2007 Final Office Action issued in connection with U.S. Serial No. 11/400,497 (**Exhibit 19**);
27. April 3, 2008 Office Action issued in connection with U.S. Serial No. 11/520,556 (**Exhibit 20**);
28. January 9, 2008 Office Action issued in connection with U.S. Serial No. 11/259,540 (**Exhibit 21**);
29. May 22, 2008 Office Action issued in connection with U.S. Serial No. 11/491,330 (**Exhibit 22**);
30. August 5, 2008 Final Office Action issued in connection with U.S. Serial No. 11/175,815 (**Exhibit 23**);
31. August 19, 2008 Office Action issued in connection with U.S. Serial No. 11/804,746 (**Exhibit 24**);
32. August 21, 2008 Office Action issued in connection with U.S. Serial No. 09/904,356 (**Exhibit 25**);
33. September 11, 2008 Office Action issued in connection with U.S. Serial No. 11/805,573 (**Exhibit 26**);
34. April 9, 2008 Office Action issued in connection with U.S. Serial No. 11/316,078 (**Exhibit 27**);
35. May 14, 2008 Office Action issued in connection with U.S. Serial No. 11/400,497 (**Exhibit 28**);
36. Notification of Transmittal of the International Search Report and the Written Opinion of the International Searching Authority, Or the Declaration issued July 25, 2008 in connection with PCT International Application No. PCT/US06/28565 (**Exhibit 29**);

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37. Notification of Transmittal of the International Search Report and the Written Opinion of the International Searching Authority, Or the Declaration issued August 15, 2008 in connection with PCT International Application No. PCT/US08/05564 (**Exhibit 30**);
38. May 15, 2008 Office Action issued in connection with U.S. Serial No. 11/581,945 (**Exhibit 31**);
39. September 16, 2008 Communication including a May 29, 2008 Extended European Search report in connection with European Patent Application No. 07014859.8 (**Exhibit 32**);
40. PCT International Application Publication No. WO 94/19017, published September 1, 1994 (**Exhibit 33**);
41. October 2, 2008 Communication Pursuant to Article 94(3) EPC and Result of Consultation issued in connection with European Patent Application No. 01970984.9 (**Exhibit 34**);
42. Office Action issued November 10, 2008 in connection with U.S. Serial No. 11/400,497 (**Exhibit 35**);
43. Office Action issued December 12, 2008 in connection with U.S. Serial No. 11/491,330 (**Exhibit 36**);
44. Final Office Action issued December 31, 2008 in connection with U.S. Serial No. 11/581,945 (**Exhibit 37**);
45. Final Office Action issued January 9, 2009 in connection with U.S. Serial No. 11/451,707 (**Exhibit 38**);
46. Decision to Refuse European Patent Application issued November 26, 2007 by the European Patent Office in European Patent Application No. 97917856.3 (**Exhibit 39**);
47. April 7, 2008 Statement Setting Out Grounds Of Appeal (Article 108 EPC) filed in connection with European Application No. 97917856.3 (**Exhibit 40**);
48. Final Office Action issued January 27, 2009 in connection with U.S. Serial No. 11/520,556 (**Exhibit 41**);
49. Final Office Action issued January 27, 2009 in connection with U.S. Serial No. 11/259,540 (**Exhibit 42**);
50. Simmons, G. et al. (1996) "Primary, syncytium-inducing human immunodeficiency virus type 1 isolates are dual-tropic and most

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can use either Lestr or CCR5 as coreceptors for virus entry," J. Virol. 70(12):8355-8360 (**Exhibit 43**);

51. Valentin, A. et al. (1994) "Dual tropism for macrophages and lymphocytes is a common feature of primary human immunodeficiency virus type 1 and 2 isolates," J. Virol. 68(10):6684-6689 (**Exhibit 44**); and
52. Final Office Action issued February 4, 2009 in connection with U.S. Serial No. 11/316,078 (**Exhibit 45**).

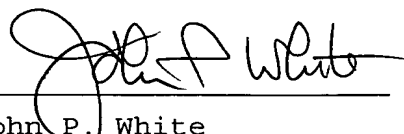
This Supplemental Information Disclosure Statement is being submitted under 37 C.F.R. §1.97(b)(4) before the issuance of a first Office Action after the filing of a Request for Continued Examination under §1.114. The Examiner is respectfully requested to make these items of record in the present application by initialing and returning a copy of the enclosed Form PTO 1449 (Substitute).

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

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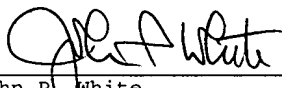
Pursuant to 37 C.F.R. §1.97(b)(4), no fee is deemed necessary in connection with the filing of this Supplemental Information Disclosure Statement. However, if any fee is required authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,



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I hereby certify that this correspondence is being deposited on this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



3/30/09

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Date